IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 29488 of 2004(I)

PETITIONER:

K. RAJENDRAKUMAR JAIN, S/O. KANNEYALAL JAIN, R/A 109, A.N.S.T. SOW CARPET, CHENNAI, PROPRIETOR, SANTHINATH FINANCE, RAINBOW PLAZA, FIRT FLOOR, NO.109 AUDIAPPA NAICKEN STREET, SOWCARPET, CHENNAI, REP. BY POWER OF ATTORNEY HOLDER N.V. FRANICS, R/A.NAYATHODAN HOUSE,ALUVA.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS:
----

1. SUB REGIONAL TRANSPORT OFFICER, ALUVA.

2. THE SUB INSPECTOR OF POLICE, KALADY POLICE STATION.

3. C.D. JOHNNY, CHAKKALAKKAL HOUSE, CHENGAL, KALADY, ANGAMALY.

BY ADV. SRI.ARUN VALENCHERY --- R3
GOVERNMENT PLEADER SRI. MUHAMMED PUZHAKARA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 29488/2004 I

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE HIRE PURCHASE AGREEMENT BETWEEN THE PETITIONER AND R3 DT. 9/11/2002.

EXT.P2. COPY OF THE REPAYMENT SCHEDULE ISSUED BY THE PETITIONER TO THE R3 DT. 9/11/2002.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

KURIAN JOSEPH, J.

W.P.(C) NO. 29488 OF 2004

Dated this the 26th day of November, 2007.

J U D G M E N T

This writ petition is filed with the following prayer:

> 1. Issue a writ of mandamus or other appropriate writ or direction directing the 1st and 2nd respondents to receive the tax dues and arrears along with interest and penalty from the petitioner and release the vehicle bearing registration No. KL-7-G-5976 to the petitioner or his authorized agent or attorney.

It is for the petitioner to approach the first respondent, in which case, appropriate action in accordance with law in the matter will be taken by the first respondent, expeditiously. Learned Government Pleader submits that the vehicle is even now under police custody for non-payment of tax. In case either the petitioner or the third respondent does not approach the first respondent within a period of three months for clearing the tax dues, steps shall be taken by the first respondent to sell the vehicle on the expiry of the period of three months.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp